

AMENDED IN ASSEMBLY APRIL 8, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 49

Introduced by Assembly Member Buchanan

(Principal coauthor: Assembly Member Perea)

(Coauthors: Assembly Members Achadjian, Ammiano, Atkins, Blumenfield, Bonilla, Bradford, Brown, Campos, Conway, Cooley, Daly, Eggman, Frazier, Beth Gaines, Hagman, Harkey, Holden, Logue, Maienschein, Mansoor, Melendez, Mitchell, Morrell, Mullin, Nazarian, Olsen, Patterson, Quirk-Silva, Skinner, Torres, Waldron, Weber, and Yamada)

(Coauthors: Senators Cannella, Corbett, Fuller, Hancock, and Pavley)

December 21, 2012

An act to add Section ~~5162~~ 5156.5 to the Vehicle Code, relating to license plates.

LEGISLATIVE COUNSEL'S DIGEST

AB 49, as amended, Buchanan. License plates: breast cancer awareness.

Existing law authorizes the Department of Motor Vehicles (DMV) to issue specialty license plates, including environmental license plates and specified special environmental design license plates. *Under existing law, a state agency is authorized to apply to the DMV to sponsor a specialized license plate program, and the DMV is required to issue those license plates if the agency meets certain requirements.* The ~~department~~ DMV is required to charge specified fees for certain services related to the issuance of those plates.

Existing law establishes the Breast Cancer Control Account in the Breast Cancer Fund, and requires that funds in that account, upon

appropriation by the Legislature, be allocated for the provision of early breast cancer detection services for uninsured and underinsured women.

~~This bill would additionally authorize the DMV, in consultation with require the State Department of Health Care Services, to design and make available for issuance special to apply to sponsor a breast cancer awareness license plates bearing plate program, and would require the DMV to issue the license plates if the State Department of Health Care Services meets certain requirements. The bill would require the plates issued under the program to bear a full-plate graphic design depicting a the pink breast cancer awareness ribbon on a pink background, as specified, upon and would require the payment of an additional fee by a person applying for the special plate. The bill would require the revenue generated from the license plates, as specified, to be deposited in the Breast Cancer Awareness Account, which is created by the bill in the Specialized License Plate Fund, for use by the State Department of Health Services, upon appropriation by the Legislature, for providing free or reduced-cost breast cancer preventative treatments, or funding research for treatments and cures for breast cancer the Breast Cancer Control Account in the Breast Cancer Fund.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5156.5 is added to the Vehicle Code, to
2 read:
3 5156.5. (a) The State Department of Health Care Services
4 shall apply to the department, pursuant to Section 5156, to sponsor
5 a breast cancer awareness license plate program. The department
6 shall issue specialized license plates for that program if the State
7 Department of Health Care Services complies with the
8 requirements of Section 5156.
9 (b) Notwithstanding Section 5155, the breast cancer awareness
10 license plates shall bear a full-plate graphic that the department
11 determines, in consultation with the Department of the California
12 Highway Patrol, does not obscure the readability of the license
13 plate, and that depicts a pink background and the pink breast
14 cancer awareness ribbon, as approved by the State Department
15 of Health Care Services. The State Department of Health Care

Services may accept and use donated artwork from California artists for purposes of this requirement.

(c) Notwithstanding subdivision (c) of Section 5157, the additional fees prescribed by Section 5157 for the issuance, renewal, or transfer of the specialized license plates shall be deposited, after the department deducts its administrative costs, in the Breast Cancer Control Account in the Breast Cancer Fund established pursuant to Section 30461.6 of the Revenue and Taxation Code.

~~SECTION 1. Section 5162 is added to the Vehicle Code, to read:~~

~~5162. (a) The department, in consultation with the State Department of Health Care Services, shall design and make available for issuance pursuant to this article special breast cancer awareness design license plates as described in this section. Notwithstanding Section 5155, the special breast cancer awareness design license plates shall bear a full-plate graphic design that the department determines, in consultation with the Department of the California Highway Patrol, does not obscure the readability of the license plate depicting the pink breast cancer awareness ribbon on a pink background, as approved by the State Department of Health Care Services. The State Department of Health Care Services may accept and use donated artwork from California artists for purposes of this requirement. Any person described in Section 5101 may, upon payment of the additional fees set forth in subdivision (b), apply for and be issued a set of special breast cancer awareness design license plates. The special breast cancer awareness design license plates may be issued as environmental license plates, as defined in Section 5103.~~

~~(b) In addition to the regular fees for an original registration or renewal of registration, the following additional fees shall be paid for the issuance, renewal, or transfer of the special breast cancer awareness design license plates authorized pursuant to this section:~~

~~(1) For the original issuance of the plates, fifty dollars (\$50).~~

~~(2) For a renewal of registration with the plates, forty dollars (\$40).~~

~~(3) For transfer of the plates to another vehicle, fifteen dollars (\$15).~~

~~(4) For each substitute replacement plate, thirty-five dollars (\$35).~~

1 ~~(5) In addition, for the issuance of environmental license plates,~~
2 ~~as defined in Section 5103, with a full-plate graphic design~~
3 ~~described in subdivision (a), the additional fees prescribed in~~
4 ~~Sections 5106 and 5108. The additional fees prescribed in Sections~~
5 ~~5106 and 5108 shall be deposited in the Environmental License~~
6 ~~Plate Fund.~~

7 ~~(e) Except as provided in paragraph (5) of subdivision (b), and~~
8 ~~after deducting its administrative costs under this section, the~~
9 ~~department shall deposit the additional revenue derived from the~~
10 ~~issuance, renewal, transfer, and substitution of special breast cancer~~
11 ~~awareness design license plates in the Breast Cancer Awareness~~
12 ~~Account, which is hereby created in the Specialized License Plate~~
13 ~~Fund. Upon appropriation by the Legislature, the moneys in the~~
14 ~~account shall be allocated by the Controller to the State Department~~
15 ~~of Health Care Services for expenditure for the exclusive trust~~
16 ~~purposes of raising awareness about breast cancer, providing free~~
17 ~~or reduced-cost breast cancer preventative treatments, or funding~~
18 ~~research for treatments and cures for breast cancer.~~

19 ~~(d) The State Department of Health Care Services shall collect~~
20 ~~and hold applications for the special breast cancer awareness~~
21 ~~license plates described in this section. The Department of Motor~~
22 ~~Vehicles shall not be required to make the special breast cancer~~
23 ~~awareness license plates available for issuance pursuant to this~~
24 ~~section until the State Department of Health Care Services has~~
25 ~~submitted not less than 7,500 applications for the plates to the~~
26 ~~Department of Motor Vehicles.~~